IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 875 OF 2002

In

SUit no. 793 of 1980

National Textile Corpn.Ltd. .. Plaintiff

versus

K.L. Kapadia & Anr. .. Defendants

...

Mr.Mahajan i/b M/s.Divekar & Co. for the plaintiff.

Ms.Bethy D'Souza i/b M.P. Vashi for the defendant no.1.

Mr.D.R. Patil, representative of Court Receiver present.

CORAM : D.G. KARNIK,J.

DATED : 22nd July 2005.

P.C.:

1. Heard learned counsel for the parties. The suit is on board for hearing and Court Commissioner has been appointed. Learned counsel for the parties submitted that in view of Rule 156 of the Bombay High

Court (Original Side) Rules, the Chamber Summons is required to be heard by the Judge hearing the suit and not by the Chamber Judge. Submission is accepted.

2. Heard learned counsel for the plaintiff and defendant no.1. The Court receiver's representative representing the defendant no.2 is also present and is heard. By consent, Chamber Summons is made absolute in terms of prayer clause (a).

3. Amendment to be carried out within a period of two weeks.

D.G. KARNIK, J